

# Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
(Insert Title) Recombinant expression of S-layer proteins

the specification of which

- (Check one of blocks 1, 2 or 3. See note A on back of this page)
1.  is attached hereto.
  2.  was filed on 31 January 1997 as International PCT Application Serial No. PCT/EP97/00432 and was amended on \_\_\_\_\_ (if applicable)
  3.  was filed on \_\_\_\_\_ as U.S. Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed:

<u>196 03 649.6</u> (Number)	<u>Germany</u> (Country)	<u>1/Feb./1996</u> (Day/Month/Year Filed)	Priority Claimed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No

(See Note C on back of this page)

See attached list for additional prior foreign applications

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

<u>(List prior U.S. Applications or PCT International applications designating the U.S.)</u>	<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status) (patented, pending, abandoned)</u>

And I hereby appoint as principal attorneys David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; Martin S. Postman, Reg. No. 18,570; E. Marcie Ermas, Reg. No. 32,131; Michael G. Gilman, Reg. No. 19,114; Douglas H. Goldshush, Reg. No. 33,125; Kevin C. Brown, Reg. No. 32,402; Monica Chin Kitts, Reg. No. 36,105; Sharon N. Klesner, Reg. No. 36,335, and John R. Fuisz, Reg. No. 37,327.

Please direct all communications to the following address: NIKAIKO, MARMELSTEIN, MURRAY & ORAM

Metropolitan Square  
655 Fifteenth Street, N.W., Suite 330 - G Street Lobby  
Washington, D.C. 20005-5701  
(202) 638-5000 Fax: (202) 638-4810

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note D on back of this page)

Full name of sole or first inventor Prof. Dr. Werner Lubitz

Inventor's signature \_\_\_\_\_

Residence A-1080 Wien/Vienna, Austria

Date \_\_\_\_\_

Citizenship Austria

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- A. 1. For declaration to be filed with original U.S. (Non-PCT) Application Papers, check box 1.  
2. For declaration to be filed in U.S. National Phase of PCT Application (either with original national phase en papers or subsequent to expiration of 20 or 30 month term), check box 2, and complete information.  
3. For declaration to be filed after original U.S. (Non-PCT) Application filing date, check box 3, and compl information.
  
- B. Please list all non-convention foreign applications relating to the invention (and check block "no"), as well as convention (priority) applications.
  
- C. If more than 4 prior foreign applications, please check this box and attach a sheet listing the remaining prior for applications.
  
- D. For the Inventor's "Residence", only the city and state is necessary, however the "Post Office Address" must b address acceptable by a Post Office for delivery of mail.

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Full name of second joint inventor, if any Prof. Dr. Uwe Sleytr  
Inventor's signature Uwe Sleytr Date 15. Februar 1992  
Residence A-1170 Wien / Vienna, Austria  
Citizenship Austria  
Post Office Address Parhamerplatz 10, A-1170 Wien/Vienna, Austria

Full name of third joint inventor, if any Beatrix Kuen  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence A-1070 Wien/Vienna, Austria  
Citizenship Austria  
Post Office Address Kaiserstraße 107/21, A-1070 Wien/Vienna, Austria

Full name of fourth joint inventor, if any Michaela Truppe  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence A-4222 Luftenberg, Austria  
Citizenship Austria  
Post Office Address Tulpenstraße 6, A-4222 Luftenberg, Austria

Full name of fifth joint inventor, if any Stefan Howorka  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence A-1130 Wien/Vienna, Austria  
Citizenship Austria  
Post Office Address Hietzinger hauptstraße 42d/b, A-1130 Wien/Vienna, Austria

Full name of sixth joint inventor, if any Stepanka Resch  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence A-1150 Wien/Vienna, Austria  
Citizenship Austria  
Post Office Address Kranzgasse 7/28, A-1150 Wien/Vienna, Austria

Full name of seventh joint inventor, if any Gerhard Schroll  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence A-1070 Wien/Vienna, Austria  
Citizenship Austria  
Post Office Address Maria Hilferstraße 110/6, A-1070 Wien/Vienna, Austria

Full name of eighth joint inventor, if any Margit Sara  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence A-2230 Gänserndorf, Austria  
Citizenship Austria  
Post Office Address Watzekgasse 84, A-2230 Gänserndorf, Austria